

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DAVID B. DOWNS,**  
**Plaintiff,**

**CIVIL ACTION**

**v.**

**BOROUGH OF JENKINTOWN,  
SEAN KILKENNY,  
DEBORA PANCOE,  
RICHARD BUNKER, and  
GEORGE LOCKE,**  
**Defendants.**

**NO. 18-4529**

**ORDER**

**AND NOW**, this 12th day of December, 2018, upon consideration of Motion to Dismiss of Defendants, Borough of Jenkintown, Sean Kilkenny, Debora Pancoe, Richard Bunker and George Locke (Document No. 3, filed Nov. 26, 2018), the Court noting that an Amended Complaint was filed on December 10, 2018, **IT IS ORDERED** that defendants' Motion to Dismiss is **DENIED AS MOOT**.

**BY THE COURT:**

**/s/ Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**